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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CHO, HONG SOL

ART UNIT PAPER NUMBER

2616

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/891,359		SEO, SANG	
	Examiner		Art Unit	
	Hong Cho		2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-15, 17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-15, 17 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 6/23/2006. Claim 11, 16 and 19-21 are canceled. Claims 1-10, 12-15, 17 and 18 are pending in the instant application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, 12-15, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman et al (U.S 6198479), hereinafter referred to as Humpleman.

Re claims 1 and 10, Humpleman discloses providing an Internet service in a non-IP based network comprising a first server (*home device*, elements 102, 108 and 110, figure 14) connected to a non-IP based network (*home network*, column 4, lines 40-44) and having an application program as installed and a second server (*Internet proxy*, element 1104, figure 14) connected to a non-IP network (*home network*) and an IP based network (*Internet*) and having the application program as installed so that a service

corresponding to an Internet service request is provided to the Internet according to the Internet service request received from the Internet (*selecting one of the first server and the second server to provide an Internet service based on the Internet service request*, column 20, lines 53-62). Humpleman's Internet proxy necessarily would have the non-IP based processing protocol layer and the IP to non-IP interface between the non-IP based data processing protocol layer and the IP based network.

Re claim 2, Humpleman discloses HAVi (Home Audio/Video interoperability) home network (column 4, lines 36-37).

Re claim 3, Humpleman discloses transmitting Internet service in a digital format or a Web document format (column 4, lines 15-19).

Re claim 4, Humpleman discloses accessing and controlling home devices through Internet service (*the Internet service is accessed from the Internet to the first and second server to control the first and the second servers*, column 20, lines 53-62).

Re claim 5, Humpleman discloses a layered interface model that provides an Internet service through Internet proxy (*the first server with an application program layer for providing an Internet service*, figures 2 and 14).

Re claims 6 and 7, Humpleman discloses each home device containing interface data (column 4, lines 15-18).

Re claim 8, Humpleman discloses a layered interface model that utilizes IP protocol stack for communication between home devices and providing an Internet service through Internet proxy (figure 2).

Re claim 9, Humpleman discloses an Internet proxy connected to a plurality of home devices (figure 14).

Re claims 12 and 13, Humpleman discloses providing an Internet service in a non-IP based network comprising a first appliance (*Internet proxy*, element 1104, figure 14) for controlling and communicating the non-IP based network with the Internet (*home network*, column 4, lines 40-42) and a second appliance which is connected with the first appliance for providing the Internet service to a third appliance connected with the Internet via the first appliance when the Internet service is requested by the third appliance connected to the Internet via the first appliance (column 20, lines 53-62). Humpleman discloses Internet proxy receiving an Internet service request from the IP based network and selecting one of the first server and the second server to provide an Internet service based on the Internet service request (column 20, lines 53-62). Humpleman's Internet proxy necessarily would have the non-IP based processing protocol layer and the IP to non-IP interface between the non-IP based data processing protocol layer and the IP based network.

Re claim 14, Humpleman discloses each home network device functioning as a server for providing its own information (figure 3a; column 7, lines 13-15).

Re claim 15, Humpleman discloses non-IP based HAVi (Home Audio/Video interoperability) home network connecting a plurality of appliances functioned as the second appliance (column 4, lines 36-37).

Re claims 17 and 18, Humpleman discloses the first server appliance as a DTV or DVD or DVCR (figure 14, elements 102, 108, 110) and a second server appliance as an Internet proxy providing a service to Internet (*set-top box*, figure 14, element 1104).

Response to Arguments

4. Applicant's arguments filed on 6/23/2006 have been fully considered but they are not persuasive.

On page 11 of the remarks, the Applicant argues that Humpleman's home network must be an IP based network in order to provide the advantage of remotely controlling the home devices. In reply, the argument seems misplaced because the Applicant points to the only one embodiment (IP based home network) of Humpleman. The Applicant is referred to consider other embodiments of Humpleman where any predefined communication protocols (non-IP protocols) could be used to provide communication among home devices (column 4, lines 38-44).

On page 12 of the remarks, the Applicant argues that the non-IP based processing protocol layer and the IP to non IP interface between the non-IP based data processing protocol layer and the IP based network are not necessarily present in Humpleman. In reply, the Examiner believes the argument applies only to the one embodiment (IP based home network) of Humpleman. As for other non- IP embodiments, Humpleman's Internet proxy necessarily would have the non-IP based processing protocol layer and the

IP to non-IP interface between the non-IP based data processing protocol layer and the IP based network.

On page 13 of the remarks, the Applicant argues that Humpleman's Internet proxy itself cannot provide any Internet service based on the Internet service request, however, the second server/first appliance in the present invention provides an Internet Web service to the Internet. In reply, it is noted that the above feature is not recited in the rejected claim(s). Claims recite that one of the first server and the second server provides an Internet service. In addition, Humpleman's Internet proxy provides an Internet service by allowing a user to control home devices via the Internet.

On page 14 of the remarks, the Applicant argues that Humpleman's home devices cannot provide any service to the Internet via the Internet proxy. The Examiner respectfully disagrees. The Examiner interprets "providing service to the Internet" as allowing a user to control home devices via the Internet.

The Examiner concludes that the rejection of claims is proper.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is


not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088. Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc
Hong Cho
Patent Examiner
7/28/2006


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